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PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Xavier PALIARD

Serial No.: 09/894,845

Group Art Unit: 1635

Filing Date: June 27, 2001

Examiner: J. Angell

Title: TOLERANCE AND CHRONIC HEPATITIS C VIRUS

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DECLARATION OF XAVIER PALIARD

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

I, XAVIER PALIARD, hereby declare as follows:

1. I am the inventor of the subject matter disclosed and claimed in the above-referenced patent application, U.S. Serial No. 09/894,845, filed June 27, 2001, claiming the benefit of U.S. Provisional Application Serial No. 60/214,583, filed June 27, 2000. I am also a coauthor on Lee et al., *Hepatology* (June 2000) 31:1327-1333 ("Lee et al.").


2. The noninventor coauthors on Lee et al., Alexander Y. Lee, William C. Manning, Christopher L. Arian, Noelle K. Polakos, Jose L. Barajas, Jeffrey B. Ulmer and Michael Houghton, did not conceive of the subject matter claimed in the above-identified patent application and are not coinventors thereof.

3. Specifically, Lee was a laboratory technician working under my direction, and performed routine T-cell assays. Manning provided materials used to make plasmids. Arian was a laboratory technician working under my direction, and performed routine PCR analyses. Polakos was a laboratory technician working under my direction, and performed routine western blots and assessed luciferase activity. Ulmer was my supervisor and was listed as an author on the publication as a courtesy. Houghton heads the hepatitis C virus program at

Chiron Corporation and was listed as an author on the publication as a courtesy.

4. I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date 06/04/2002



XAVIER PALIARD